

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

**IN RE: VALSARTAN, LOSARTAN,
AND IRBESARTAN PRODUCTS
LIABILITY LITIGATION**

MDL No. 2875

Honorable Robert B. Kugler,
District Court Judge

This Document Relates to All Actions

**JOINDER BY TEVA PHARMACEUTICALS USA, INC.,
ACTAVIS LLC, ACTAVIS PHARMA, INC., TORRENT
PHARMACEUTICALS LTD., AND TORRENT PHARMA, INC. IN THE
ZHP DEFENDANTS' MOTION FOR LEAVE TO FILE A SECOND
AMENDED ANSWER AND AFFIRMATIVE DEFENSES**

On March 6, 2024, the ZHP Defendants moved for leave to file a second amended answer and affirmative defenses to expressly assert certain affirmative defenses related to EmblemHealth's and SummaCare's assignments of rights to Plaintiff MSP Recovery Claims, Series LLC ("MSP"). *See generally* Doc. [2672](#); Doc. [2672-1](#). The Teva and Torrent Defendants join the ZHP Defendants' motion and, if that motion is granted, respectfully move the Court for leave to similarly amend their answers and affirmative defenses to specifically assert (1) an affirmative defense based on the New York and Ohio doctrines of champerty, and (2) an affirmative defense related to the invalidity of SummaCare's assignment under Ohio law, based on the impermissible assignment to MSP of a contingent, future interest. The Teva and Torrent Defendants specifically adopt and incorporate by reference

the arguments raised in the ZHP Defendants' motion for leave and accompanying memorandum in support (*see* Doc. [2672](#); Doc. [2672-1](#)) and, for the same reasons, respectfully request that the Court grant the Teva and Torrent Defendants leave to amend their answers and affirmative defenses similarly, to the extent the Court grants the ZHP Defendants leave to amend.

Dated: March 26, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 26, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants in this matter.

/s/ *Gerond J. Lawrence*

Gerond J. Lawrence
Greenberg Traurig, LLP